

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

IN RE: UBER TECHNOLOGIES, INC.,  
PASSENGER SEXUAL ASSAULT  
LITIGATION

Case No. 3:23-md-03084-CRB

**DECLARATION OF WILLIAM L. SMITH IN  
SUPPORT OF PLAINTIFF'S MOTION TO  
STRIKE CLAWBACK NOTICE**

## This Document Relates to:

Judge: Honorable Charles R. Breyer  
Courtroom: 6 – 17th Floor

*Jaylynn Dean v. Uber Techs., Inc.*,  
N.D. Cal. No. 23-cv-06708  
D. Ariz. No. 25-cv-4276

UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA  
PHOENIX DIVISION

JAYLYNN DEAN,

**Plaintiff,**

V.

UBER TECHNOLOGIES, INC., et al.

### Defendants.

No. 25-cv-4276-PHX-CRB

Judge: Honorable Charles R. Breyer  
Ctrm.: 501

**DECLARATION OF WILLIAM L. SMITH**  
N.D. CAL. NO. 3:23-MD-03084; D. ARIZ. NO. 25-CV-4276

I, WILLIAM L SMITH, declare:

1. I am an attorney in the law firm of Anapol Weiss, appointed to the Plaintiffs' Steering Committee in the above-captioned Multi-District Litigation. I am a member of the State Bar of California and am admitted to practice before this Court. I make this declaration based on my own personal knowledge. If called upon to testify, I could and would testify competently to the truth of the matters stated herein.

2. I submit this declaration in support of Plaintiff's Motion to Strike Clawback Notice.

3. On the evening of Friday, January 2, 2026, counsel for Defendants Uber Technologies, Inc., Rasier, LLC, and Rasier-CA, LLC served a notice of clawback pursuant to Pretrial Order No. 14 (ECF 396), purporting to claw back 46 documents that Defendants claim were inadvertently produced. A true and correct copy of the January 2, 2026 Clawback Notice is attached hereto as **Exhibit 1**.

4. Jury selection in this matter is scheduled to begin on January 8, 2026 with opening statements occurring on January 13.

5. Prior to serving the January 2, 2026 Clawback Notice, Defendants had not asserted privilege over the documents at issue. Many of these documents were used as exhibits at depositions, during which Defendants' counsel was present, reviewed the exhibits, and raised no privilege objection or clawback request. In addition, Defendants stipulated that certain of the documents were authentic business records for purposes of trial, and two of the documents appear on Defendants' own trial exhibit list.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 5th day of January, 2026 in LOS ANGELES, CALIFORNIA.

/s/ William L. Smith  
William L. Smith